

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2006 Legislative Session**

**Legislative Day No. 12  
September 5, 2006**

**HOWARD COUNTY TO WIT:**

The Chairman called the session to order at 7:40 p.m.

Christopher Merdon, Chairman; Calvin Ball, Council Member; Charles Feaga, Council Member; Guy Guzzone, Council Member; and Ken Ulman, Council Member, were present.

Sheila Tolliver; Administrator to the County Council; Jennifer Sager, Legislative Coordinator; and Barbara Cook, County Solicitor, were also present.

**APPROVE JOURNAL**

The Chairman moved to adopt the journals for Legislative Day No.10, July 3, 2006 and Day No. 11, July 31, 2006. His motion was seconded by Mr. Ulman.

The roll call vote called by the Chairman to approve the journals was: Yea: Council Members Merdon, Ball, Feaga, Guzzone, and Ulman.

The journals were approved.

**SUSPEND THE RULES**

Council Bill No. 75-2006 – Introduced by Calvin Ball - Amending the Articles of Organization of the Howard County Housing Commission and amending the standards for the types of Howard County Housing Commission housing developments that may be considered a government use for zoning purposes.

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The Chairman moved to suspend the rules to allow introduction of Council Bill No. 75-2006 which was not prefiled. His motion was seconded by Mr. Ball.

The roll call vote called by the Chairman on the motion was: Yea: Council Members Merdon, Ball, Feaga, Guzzone and Ulman.

The motion to suspend the rules passed.

## **INTRODUCTION OF LEGISLATION**

The following legislation is introduced by the Chairman at the request of the County Executive unless otherwise noted.

### **Appointments**

Council Resolution No. 113-2006 – Confirming the appointment of Steve Alms to the Howard County Revenue Authority

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A RESOLUTION confirming the appointment of Steve Alms to the Howard County Revenue Authority.

Council Resolution No. 114-2006 – Confirming the appointment of Keischa Glenn, M.D. to the Commission on Aging

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A RESOLUTION confirming the appointment of Keischa Glenn, M.D. to the Commission on Aging

Council Resolution No. 115-2006 – Confirming the appointment of Michael J. Jack to the Howard County Revenue Authority

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A RESOLUTION confirming the appointment of Michael J. Jack to the Howard County Revenue Authority

Council Resolution No 116-2006 – Confirming the appointment of Irfan Malik to the Howard County Revenue Authority

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A RESOLUTION confirming the appointment of Irfan Malik to the Howard County Revenue Authority

Council Resolution No. 117-2006 – Confirming the appointment of Debora Plunkett to the Howard County Revenue Authority

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A RESOLUTION confirming the appointment of Debora Plunkett to the Howard County Revenue Authority

Council Resolution No. 118-2006 – Confirming the appointment of Edward L. Waddell to the Howard County Revenue Authority

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A RESOLUTION confirming the appointment of Edward L. Waddell to the Howard County Revenue Authority

Council Resolution No. 119-2006 - Confirming the reappointment of Patrick J. Clancy to the Housing Commission

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A RESOLUTION confirming the reappointment of Patrick J. Clancy to the Housing Commission

Council Resolution No. 120-2006 – Confirming the reappointment of Gayle M. Fink to the Public Ethics Commission

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A RESOLUTION confirming the reappointment of Gayle M. Fink to the Public Ethics Commission

Council Resolution No. 121-2006 – Confirming the reappointment of Roger W. Hawkesworth, Jr. to the Cable Advisory Committee

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A RESOLUTION confirming the reappointment of Roger W. Hawkesworth, Jr. to the Cable Advisory Committee

### **Financial**

Transfer of Appropriation Ordinance No. 1-Fiscal 2007 – Transferring a total of \$700,000 to Capital Project N-3107, Rockburn Branch Park, from Capital Project N-3108, Park Systemic Improvements, in order to complete certain park improvements

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AN ACT transferring a total of \$700,000 to Capital Project N-3107, Rockburn Branch Park, from Capital Project N-3108, Park Systemic Improvements, in order to complete certain park improvements.

Transfer of Appropriation Ordinance No. 2-Fiscal 2007 – Transferring to Capital Project C-0306, Grassroots Renovations, \$1,868,500 in Pay-Go funding from Capital Project S-6259, Lisbon Community Sewerage, and \$950,000 in State Grant funding from Capital Project C-0214, Category Contingency Fund; and transferring \$2,818,500 in Other funding from Capital Project C-0306, Grassroots Renovations, to Capital Project C-0214, Category Contingency Fund

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AN ACT transferring to Capital Project C-0306, Grassroots Renovations, \$1,868,500 in Pay-Go funding from Capital Project S-6259, Lisbon Community Sewerage, and \$950,000 in State Grant funding from Capital Project C-0214, Category Contingency Fund; and transferring \$2,818,500 in Other funding from Capital Project C-0306, Grassroots Renovations, to Capital Project C-0214, Category Contingency Fund.

Council Bill No. 64-2006 – Amending the approved Capital Budget for Fiscal Year 2007 to change a funding source for Capital Project G-0163, Agricultural Land Preservation Program

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AN ACT amending the approved Capital Budget for Fiscal Year 2007 to change a funding source for Capital Project G-0163, Agricultural Land Preservation Program.

Council Bill No. 65-2006 - To authorize and empower Howard County, Maryland, to enter into installment purchase agreements to acquire development rights in agricultural lands located within the County (Project No. G-0163), for an aggregate purchase price of not more than \$24,000,000, plus interest thereon

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AN ACT to authorize and empower Howard County, Maryland, to enter into installment purchase agreements to acquire development rights in agricultural lands located within the County (Project No. G-0163), for an aggregate purchase price of not more than \$24,000,000, plus interest thereon; providing that the County's obligation to pay the purchase price under and interest on such agreements shall be a general obligation of the County made upon its full faith and credit; and to levy taxes upon the assessable property within the County sufficient, together with the portion of the transfer tax imposed on transfers of real property in Howard County which is dedicated to agricultural land preservation and other available funds, to provide for the payment of the purchase price under and interest on any agreements so entered into; and providing for and determining various matters in connection therewith.

Council Resolution No. 109-2006 - Adopted pursuant to the Maryland Economic Development Revenue Bond Act providing for the consent by Howard County, Maryland to (1) the transfer of the 215-unit residential rental housing facility located in Columbia, Maryland known as the "Southgate Crossing Apartments," by Shelter Housing Partners II Limited Partnership to AvalonBay Communities, Inc. (the "Purchaser"), the costs of which facility were refinanced with the proceeds of the County's Multi-family Housing Revenue Refunding Bonds (Broken Land Parkway Project), Series 1997, and (2) the assumption by the Purchaser of the borrower's obligations under the related Amended and Restated Issuer Regulatory Agreement

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A RESOLUTION adopted pursuant to the Maryland Economic Development Revenue Bond Act providing for the consent by Howard County, Maryland to (1) the transfer of the 215-unit residential rental housing facility located in Columbia, Maryland known as the "Southgate Crossing Apartments," by Shelter Housing Partners II Limited Partnership to AvalonBay Communities, Inc. (the "Purchaser"), the costs of which facility were refinanced with the proceeds of the County's Multi-family Housing Revenue Refunding Bonds (Broken Land Parkway Project), Series 1997, and (2) the assumption by the Purchaser of the borrower's obligations under the related Amended and Restated Issuer Regulatory Agreement; making certain findings; and authorizing the County Executive and other County officials to do all acts and execute all documents necessary in connection therewith.

### **General**

Council Bill No. 66-2006 – Adopting certain International Codes as the Howard County Building Code to apply to the design, construction, alteration, improvement, or modification of a building, structure, or other equipment; adopting certain local amendments to the Building Code; adopting penalties for the violation of the Building Code

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AN ACT adopting certain International Codes as the Howard County Building Code to apply to the design, construction, alteration, improvement, or modification of a building, structure, or other equipment; adopting certain local amendments to the Building Code; adopting penalties for the violation of the Building Code; and generally relating to the Howard County Building Code.

Council Bill No. 67-2006 – Introduced by Guy Guzzone - Establishing a County property tax credit for certain residential qualifying energy conservation devices under certain conditions; setting an annual cap; establishing the terms, conditions, and duration of the credit; providing for an application procedure and administration of the credits

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AN ACT establishing a County property tax credit for certain residential qualifying energy conservation devices under certain conditions; setting an annual cap; establishing the terms, conditions, and duration of the credit; providing for an application procedure and administration of the credit; and generally relating to property tax credits.

Council Bill No. 68-2006 – Introduced by Christopher J. Merdon and Charles C. Feaga - Establishing a tax credit for certain senior citizens under certain conditions; establishing the terms, conditions, and duration of the credit; providing for an application procedure and administration of the credit; providing for the affect of the credit on deferred taxes

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AN ACT establishing a tax credit for certain senior citizens under certain conditions; establishing the terms, conditions, and duration of the credit; providing for an application procedure and administration of the credit; providing for the affect of the credit on deferred taxes; and generally relating to property tax credits.

Council Bill No. 69-2006 - Introduced by Charles C. Feaga - Amending the Howard County Cable Television Systems Franchise Act creating a secondary cable franchise classification to enable developers to serve new communities with cable services designed specifically for those communities

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AN ACT amending the Howard County Cable Television Systems Franchise Act creating a secondary cable franchise classification to enable developers to serve new communities with cable services designed specifically for those communities.

Council Bill No. 70-2006 - Adopting the 2006 edition of the National Standard Plumbing Code Illustrated and the National Fuel Gas Code (NFPA 54-2006), as the Plumbing and Gasfitting Code for Howard County in order to protect the public health and safety by setting forth criteria for the design and installation of plumbing and gasfitting systems; adopting local amendments to the Plumbing and Gasfitting code; making certain technical corrections

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AN ACT adopting the 2006 edition of the National Standard Plumbing Code Illustrated and the National Fuel Gas Code (NFPA 54-2006), as the Plumbing and Gasfitting Code for Howard County in order to protect the public health and safety by setting forth criteria for the design and installation of plumbing and gasfitting systems; adopting local amendments to the Plumbing and Gasfitting code; making certain technical corrections; and generally relating to the Plumbing and Gasfitting Code for Howard County.

Council Bill No. 71-2006 - Amending the Howard County Retirement Plan to incorporate changes required by recent Department of Labor Regulations that eliminate certain limits for military service

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AN ACT amending the Howard County Retirement Plan to incorporate changes required by recent Department of Labor Regulations that eliminate certain limits for military service; and generally relating to the Howard County Retirement Plan.

Council Bill No. 72-2006 - Amending the Howard County Police and Fire Employee's Retirement Plan to incorporate changes required by recent Department of Labor Regulations that eliminate certain limits for military service; changing the calculation of sick leave credits for Fire Management Employees; amending certain definitions; adding certain definitions; making certain technical corrections

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AN ACT amending the Howard County Police and Fire Employee's Retirement Plan to incorporate changes required by recent Department of Labor Regulations that eliminate certain limits for military service; changing the calculation of sick leave credits for Fire Management Employees; amending certain definitions; adding certain definitions; making certain technical corrections; and generally relating to the Howard County Police and Fire Employee's retirement plan.

Council Bill No. 73-2006 - To incorporate into the Metropolitan District a parcel of real property owned by Nicholas B. Mangione and Mary Mangione, located in Mariottsville, Maryland

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AN ACT to incorporate into the Metropolitan District a parcel of real property owned by Nicholas B. Mangione and Mary Mangione, located in Marriottsville, Maryland.

Council Bill No. 74-2006 – Adding that members of the Howard County Revenue Authority are required to provide statements of financial interests

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AN ACT adding that members of the Howard County Revenue Authority are required to provide statements of financial interests; and generally relating to financial disclosure requirements of the Howard County Code.

Council Bill No. 75-2006 – Introduced by Calvin Ball - Amending the Articles of Organization of the Howard County Housing Commission and amending the standards for the types of Howard County Housing Commission housing developments that may be considered a government use for zoning purposes.

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AN ACT amending the Articles of Organization of the Howard County Housing Commission and amending the standards for the types of Howard County Housing Commission housing developments that may be considered a government use for zoning purposes.

Council Resolution No. 108-2006 – Introduced by The Chairman at the request of COPT Development and Construction Services, LLC - To close a portion of Riverwood Drive, as shown in Exhibits A and B, in accordance with Section 18.204 of the Howard County Code

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A RESOLUTION to close a portion of Riverwood Drive, as shown in Exhibits A and B, in accordance with Section 18.204 of the Howard County Code.

Council Resolution No. 110-2006 – Introduced by Charles C. Feaga, Councilman - Approving a Special Amendment to the Howard County Master Plan for Water and Sewerage

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A RESOLUTION approving a Special Amendment to the Howard County Master Plan for Water and Sewerage.

Council Resolution No. 111-2006 – Introduced by Christopher J. Merdon - Urging the Howard County Board of Education to name the new northeastern elementary school the "Veterans Elementary School"

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A RESOLUTION urging the Howard County Board of Education to name the new northeastern elementary school the "Veterans Elementary School".

Council Resolution No. 112-2006 - Introduced by The Chairman - Calling the County Council of Howard County, Maryland into legislative session on October 30, 2006

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A RESOLUTION calling the County Council of Howard County, Maryland into legislative session on October 30, 2006.

Council Resolution No. 122-2006 - Pursuant to Section 4.201 of the Howard County Code declaring that portions of open space lots conveyed to Howard County, Maryland are no longer needed by the County for public purposes if the County receives replacement open space; authorizing the County Executive to dispose of the property to Maple Lawn Farms I, LLC

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A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that portions of open space lots conveyed to Howard County, Maryland are no longer needed by the County for public purposes if the County receives replacement open space; authorizing the County Executive to dispose of the property to Maple Lawn Farms I, LLC; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to dispose of the property if he finds that it may have a further public use and submits his finding to the County Council for its consideration.

Council Bill No. 75-2006 – Introduced by Calvin Ball - amending the Articles of Organization of the Howard County Housing Commission and amending the standards for the types of Howard County Housing Commission housing developments that may be considered a government use for zoning purposes.

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Council Resolution No. 123-2006 – Pursuant to Section 16.301 of the Howard County Code granting a variance from the front building and use restriction lines at the location for the new West Friendship Volunteer Fire Station, 12535 Old Frederick Road, Sykesville MD 21784

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A RESOLUTION pursuant to Section 16.301 of the Howard County Code granting a variance from the front building and use restriction lines at the location for the new West Friendship Volunteer Fire Station, 12535 Old Frederick Road, Sykesville MD 21784.

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Council Resolution No. 124-2006 – Endorsing the provision of financing by the State Department of Business and Economic Development for one economic development project in Howard County and certifying that the project is consistent with the County's plan for economic development

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A RESOLUTION endorsing the provision of financing by the State Department of Business and Economic Development for one economic development project in Howard County and certifying that the project is consistent with the County's plan for economic development.

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Council Resolution No. 125-2006 - Endorsing the designation of another Community Legacy Area in Howard County and the creation of a Community Legacy Project in the Area; and supporting a request for financing of the Project in the form of a grant or loan from the State

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A RESOLUTION endorsing the designation of another Community Legacy Area in Howard County and the creation of a Community Legacy Project in the Area; and supporting a request for financing of the Project in the form of a grant or loan from the State.

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## **ADJOURNMENT**

The Chairman adjourned the legislative session at 8:00 p.m.

## **TABLED LEGISLATION**

Council Resolution No. 95-2006 –Confirming the appointment of Carol A. Beatty to the Howard County Local Children's Board. (*Tabled 7/31/06*)

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